

SO ORDERED.

SIGNED this 13 day of March, 2024.



James P. Smith

United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

IN RE:

TERI G. GALARDI,

Reorganized Debtor.

CHAPTER 11

CASE NO. 22-50035-JPS

**ORDER CANCELLING EVIDENTIARY HEARING AND
AUTHORIZING PAYMENT OF FORMERLY DISPUTED CLAIMS**

THIS MATTER came before the Court for a hearing on March 11, 2024 at 1:30 p.m. (the “**Hearing**”)¹ on the *Motion for Order Cancelling Evidentiary Hearing and to Authorize Payment of Formerly Disputed Claims* (Dkt. 790) (the “**Motion**”) filed by Thomas T. McClendon, as Liquidating Trustee of the Galardi Creditor Trust (“**Liquidating Trustee**”) on January 5, 2024. The Motion (i) requested that the Court cancel the evidentiary hearing set for Monday, March 18, 2024 as the settlement agreement between the Liquidating Trustee, Astrid E. Gabbe, and The Law Office of Astrid E. Gabbe, P.A., eliminated any dispute to be resolved at the

¹ Any defined terms not defined in this Order shall have the meaning ascribed to them in the Motion.

Hearing, and (ii) sought approval of proposed distributions (as set forth in the Motion) to beneficiaries on proofs of claims filed in this case.

The Liquidating Trustee sought an emergency hearing on the Motion (Dkt. 791). This was granted by Order dated March 7, 2024 (Dkt. 794).

At the Hearing, Leon S. Jones and Thomas T. McClendon appeared on behalf of the Liquidating Trustee. Mutepe Akemon appeared on behalf of various creditors. Ainsworth Dudley appeared behalf of various creditors. Joseph R. Guernsey appeared on his own behalf. Jason Orenstein appeared. Astrid Gabbe appeared. Christopher Kosachuk appeared. Michael De Campo appeared as a potential witness.

Based on the record in this Case, including without limitation the Motion, the Court has determined:

1. The Liquidating Trustee timely and properly (i) filed the Motion, and (ii) provided due notice of the Motion and the Hearing to all parties entitled to notice in compliance with the Bankruptcy Code, Local Rules and the Liquidating Trust Agreement executed in connection with this case.
2. The legal and factual bases set forth in the Motion and at the Hearing, and in the entire record in this Case, establish just cause for the relief granted at the Hearing. The Court enters this Order based upon the findings of fact and conclusions of law set forth in the record at the Hearing which are adopted herein in accordance with Fed. R. Bankr. P. 7052.

Therefore, there being good cause for the relief sought through the Motion, the Court has determined that the Motion should be granted. Accordingly, it is hereby:

1. **ORDERED** that the in-person evidentiary hearing previously set for Monday, March 18, 2024 beginning at 10:00 a.m. pursuant to Docket Numbers 797, 768, and

Adversary Proceeding Number 23-5017, Docket Number 29, is hereby **CANCELLED**; and it is

2. **ORDERED** that the Motion is **GRANTED**, and the distributions as set forth in the Motion are **APPROVED**.

The Liquidating Trustee is authorized to make the disbursements as set forth in the Motion. The Liquidating Trustee may withhold payments, at his election, to the extent that the Liquidating Trustee is not satisfied that each such recipient has executed a distribution letter, provided the Liquidating Trustee with a true and complete W-9, and otherwise complied with any obligations under the Liquidating Trust Agreement.

3. This Order shall be effective immediately.

[END OF ORDER]

Prepared by:

JONES & WALDEN LLC

/s/ Thomas T. McClendon

Thomas T. McClendon

Georgia Bar No. 431452

699 Piedmont Ave NE

Atlanta, Georgia 30308

(404) 564-9300

tmccclendon@joneswalden.com

Liquidating Trustee

Distribution List:

Thomas T. McClendon, Jones & Walden LLC, 699 Piedmont Ave NE, Atlanta, Georgia 30308

Joseph R. Guernsey d/b/a Red Shield Funding, 4681 Carvel Court, Myrtle Beach, SC 29588

Jason M. Orenstein, 1922 Forsyth Street, Macon, GA 31201

Mutepe Akemon, P.O. Box 360295, Decatur, GA 30036

Ainsworth Dudley, 4200 Northside Parkway, Building 1, Suite 200, Atlanta, GA 30327